

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:09-CR-64
)	
ESTHER ELIZABETH McCALLEBB-PIPPENS,)	(PHILLIPS/GUYTON)
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

A Report and Recommendation has been forwarded to the undersigned recommending that this case be certified as extended and/or complex. Counsel for Defendant Esther Elizabeth McCalebb-Pippens has been appointed pursuant to the Criminal Justice Act (18 U.S.C. § 3006A) and has filed a motion [Doc. 260] to declare this case complex for purposes of court-appointed attorney's fees and requesting interim payments.

The Report and Recommendation points out that the single-count indictment charges eleven (11) defendants with engaging in a conspiracy to distribute heroin over approximately seven months and in at least two states. The Report and Recommendation further points out that although all of the defendants have entered into guilty pleas at this time, the litigation of pretrial motions was extensive and required research of both law and facts outside this district. Because of the number of defendants, the nature of the charge asserted in the indictment, and the extensive nature of the pretrial litigation, it is the opinion of the undersigned that this case meets the definition of "complex"

and “extended” and that excess payments may be necessary to provide fair compensation to counsel.

The Court agrees with the Report and Recommendation and hereby **ADOPTS** the same. This Order adopting the Report and Recommendation, along with a copy of the Report and Recommendation and an Order concerning excess and interim payments, approved by the undersigned, shall be forwarded to the United States Court of Appeals for the Sixth Circuit, to the attention of the Chief Judge of the Circuit or her designee.

IT IS SO ORDERED.

ENTER:

A handwritten signature in black ink, reading "Thomas W. Phillips". The signature is written in a cursive, slightly stylized font.

Thomas W. Phillips
UNITED STATES DISTRICT JUDGE